



CITY OF UTICA

URBAN & ECONOMIC DEVELOPMENT
1 KENNEDY PLAZA, UTICA, NEW YORK 13502
PH. 315-792-0181 | FAX. 315-797-6607

ROBERT M. PALMIERI
MAYOR

BRIAN THOMAS, AICP
COMMISSIONER

**ZONING BOARD OF APPEALS
COMMON COUNCIL CHAMBERS - CITY HALL
JUNE 11, 2019 5:00 PM**

ZBA Case No.:21-19
456 Tryon Road
Applicant: Miodrag Dobrijevic
Owner: Miodrag Dobrijevic

Zone: RS-2
Area Variance

Pursuant to Section 2-29-67(d)(1) of the Zoning Ordinance of the City of Utica, the applicant is seeking an area variance in order to construct a shed at the above referenced property.

The applicant is proposing to construct a 12' x 14' (168 sf) shed to accommodate storage needs at this residence. In accordance with Section 2-29-492 of the Zoning Ordinance of the City of Utica, the maximum size for an accessory structure in a Residential Single-Family zoning district is 100 sf. The applicant will be required to receive an area variance to increase the size of the proposed shed to 168 sf.

The shed will be placed approximately 5' from the side property line and 8' from the rear property line. The shed will have 8' high walls. In accordance with Section 2-29-495 of the Zoning Ordinance of the City of Utica, no accessory structure or use which exceeds six feet in height shall be located closer than a distance equal to its height from any side or rear property line. Therefore, the applicant will be required to receive an area variance for the location of the shed.

ZBA Case No.: 22-19
1629-1631 Kemble Street
Applicant: Mohsin Syed
Owner: North American Islamic Trust Inc.

Zone: RT-1
Special Use Permit
Area Variance

Pursuant to Section 2-29-68 of the Zoning Ordinance of the City of Utica, the applicant is seeking a special use permit in order to construct a building to operate a religious organization at the above referenced property.

In accordance with Section 2-29-173 of the Zoning Ordinance of the City of Utica, churches and other similar places of worship are specially permitted uses within the Residential Two Family zoning district.

The building will be used for five daily prayer services from sunrise to after sunset. The center will not have employees and will be run by volunteers of the community. The existing building adjacent to this property will be demolished and utilized as parking for the organization. The lot can accommodate approximately 33 parking spaces.

Pursuant to Section 2-29-67(d)(1) of the Zoning Ordinance of the City of Utica, the applicant is seeking an area variance in order to construct the proposed building. The applicant is proposing to reduce the side yard setback to 5' where 10' is required. The rear yard setback will be reduced to 20' where 25' is required. The building will be a two-story structure which will be attached to the existing building on the site. The two properties will need to be consolidated with the City of Utica Engineering Department. This proposal will require Site Plan review and approval by the City of Utica's Planning Board.

ZBA Case No.: 17-19
463 Deland Drive
Applicant: George Nowiki
Owner: George Nowiki

Zone: RS-2
Area Variance

Pursuant to Section 2-29-67(d)(1) of the Zoning Ordinance of the City of Utica, the applicant is seeking an area variance in order to construct an addition to an existing garage at the above referenced location.

The applicant is proposing to construct an 6' addition to the side of the garage and extend the length of the garage out 16' toward the rear of the property. The applicant is proposing to construct a 6' x 16' addition to the side of the attached garage to allow for additional storage for a snow blower and lawn tractor. In accordance with Section 2-29-172 of the Zoning Ordinance of the City of Utica, minimum side yard setback in a Residential Single Family zoning district is 10' where the applicant is proposing approximately 5'. The applicant will be required to receive an area variance for the reduction in the side yard setback.

The exterior of the addition will match the existing garage area of the house.

At the May Zoning Board of Appeals meeting, Zoning Board Member, Nedzad Smajic had a few questions for the applicant regarding the construction of the addition and had concerns with the overhead door function on this roof pitch. The other members also questioned whether or not the run-off from the roof would fall on the neighboring property.

The Board voted to **Table** the area variance and requested the following items:

1. Professional drawings of the proposed addition detailing how it will tie into the existing house;
2. Survey of the property; and
3. Materials for the proposed addition to include the style of the overhead door.